

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVA Y. PEÑA,

Plaintiff,

- against -

MACY'S INC., et al.,

Defendants.

ORDER

22-CV-09435 (PMH)

PHILIP M. HALPERN, United States District Judge:

Counsel for all parties appeared for an in-person pretrial conference on February 7, 2024.

As explained more fully on the record during the conference, the Court directed as follows:

1. The application by Defendants City of Yonkers, Patrick Curtis, Shawn Martin, and Christina Zenkewich seeking leave to move for summary judgment (Doc. 52) was DENIED for the reasons stated on the record.
2. Trial is scheduled to commence on **July 29, 2024**. This case must therefore be trial-ready for that date. All parties and counsel shall appear on that date at 9:00 a.m. in Courtroom 520 of the courthouse located at 300 Quarropas Street, White Plains, New York 10601.
3. A final pretrial conference has been scheduled for **July 15, 2024 at 10:00 a.m.**
4. The parties shall meet and confer regarding the Court's directives and instructions regarding changes to the Joint Pretrial Order and Jury Charge and file those revised materials by **March 8, 2024**.
5. Defendants shall file a joint letter, not to exceed 5 pages, regarding the admissibility of Defendants' Exhibit L, by **March 8, 2024**. Defendants shall include a copy of Exhibit L as an attachment to their March 8, 2024 letter. Plaintiff shall file a letter in response, not to exceed 5 pages, by **March 15, 2024**.
6. The parties shall meet and confer regarding the Verdict Sheet and Summary of the Case and file those materials by **March 8, 2024**.
7. All of the revised pretrial materials (the joint pretrial order, jury charge, verdict sheet, and summary of the case) must be filed via ECF and simultaneously e-mailed, in Word format, to Chambers e-mail.

8. The Court issued its rulings which granted in substance or denied the proposed *voir dire* questions. The Court circulated the proposed *voir dire* questionnaire. Any objections thereto, and any additions or deletions, in particular: any other people/places/entities that may be mentioned at trial; and names of other individuals who might be at counsel table besides those identified in the questions (like paralegals, interns, etc.), shall be set forth in a joint letter filed by **March 8, 2024**.
9. Three exhibit binders containing the parties' exhibits, and an index listing the content of the binders shall be produced to the Court by **July 15, 2022**.
10. The parties shall meet and confer regarding whether any portions of Defendants' motion *in limine* (Doc. 58) can be withdrawn. If the parties agree that any portions of Defendants' motion *in limine* can be withdrawn, Defendants shall notify the Court by filing a letter via ECF by **March 8, 2024**. The time for Plaintiff to file opposition to Defendants' motion *in limine* is extended to **March 8, 2024**.

See Transcript.

SO ORDERED.

Dated: White Plains, New York
February 8, 2024



PHILIP M. HALPERN
United States District Judge